

August 17, 2004

August Seventeenth

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The second regular Meeting of Danville City Council was held on the above date at 7:00 p.m. in the Council Chambers located on the Fourth floor of the Municipal Building. The following Council Members were present: Ruby B. Archie, P. A. "Pete" Castiglione, Jr., E. Stokes Daniels, Jr., Mayor John C. Hamlin, T. David Luther, Albert K. "Buddy" Rawley, Jr., Sherman M. Saunders, H. Phillip Smith, and Vice-Mayor R. Wayne Williams, Jr. (9).

Staff members present were City Manager Jerry L. Gwaltney, Deputy City Manager M. Lyle Lacy, III, Assistant City Manager for Utilities Joseph C. King, Assistant City Manager for Government Affairs Todd M. Yeatts, Finance Director Aubrey D. Dodson, City Attorney W. Clarke Whitfield, Jr., Assistant City Attorney Michael J. Newman, and City Clerk Annette Y. Crane, CMC.

Other Staff members present were Transportation Services Director Marc Adelman, Community Development Director Jerry Fischer, Community Development Coordinator Anne Moore, and Emergency Services Director Doug Young.

Mayor Hamlin presided.

#### **INVOCATION AND PLEDGE OF ALLEGIANCE**

Council Member Buddy Rawley offered the invocation. The Pledge of Allegiance to the Flag followed.

#### **ANNOUNCEMENTS AND SPECIAL RECOGNITION**

Mayor Hamlin recognized Council Member Castiglione. Mr. Castiglione advised that he had received word just prior to the Meeting that the representatives from the Dan River Anglers Association could not be present. The group was scheduled to present a proposal for "Expanding the Use of the Dan River." Mr. Castiglione said he had recently met with the group, which has been active in Danville for many years. He said the group works diligently in preservation efforts for the Dan River and has a lot of great ideas for expanding its use.

Mr. Castiglione requested a study by a committee made up of Council Members and members from the private sector to come up with additional recreational uses of the river. Mayor Hamlin suggested that the Parks, Recreation and Tourism staff could be of assistance as well.

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### **COMMUNICATIONS FROM VISITORS**

Marcella Thompson, a Danville resident and mother of 2 school-aged children, appeared to extend an invitation to Council Members. She advised there would be a back-to-school welcoming event for the 1,500 employees of the school system on Monday, August 23, from 4-6 p.m. Ms. Thompson said the purpose of the event was to get the new school year off to an enthusiastic start and would be sponsored by the Eden Family Resource Center. The Resource Center provides support for children's education by involving the entire community. She extended an invitation to any Council Member who would like to speak during the event.

### **MINUTES**

Upon Motion by Council Member Saunders and second by Council Member Daniels, Minutes of the August 3, 2004 Regular Council Meeting were approved as presented. Draft copies had been distributed to Council Members prior to the Meeting.

### **BUDGET ADOPTION-FY 2004-05-AIRPORT SECURITY ENHANCEMENTS**

Upon Motion by Vice-Mayor Williams and second by Council Member Rawley, Ordinance No. 2004-08.01, presented by its First Reading on August 3, 2004, amending the Fiscal Year 2004-2005 Budget Appropriation Ordinance by increasing revenues to provide for a grant from the Virginia Department of Aviation in the amount of \$242,730 and local matching funds in the amount of \$26,970 for physical security enhancement at the Danville Regional Airport and appropriating the same was adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders,  
Smith, and Williams (9).  
NAY: None (0).

### **BUDGET ADOPTION-FY 2004-05-LOCAL LAW ENFORCEMENT GRANT**

Upon Motion by Council Member Rawley and second by Council Member Archie, Ordinance No. 2004-08.07, presented by its First Reading on August 3, 2004, amending the 2004-2005 Budget Appropriation Ordinance by increasing revenue to anticipate the receipt of funds from the U. S. Department of Justice Local Law Enforcement Block Grants Program in the amount of \$20,985 and local share in the amount of \$2,332 for a total appropriation of \$23,317 to be used toward the procurement of equipment, technology and other material directly related to the basic law enforcement functions was adopted by the following vote:

VOTE: 9-0

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AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders,  
Smith, and Williams (9).  
NAY: None (0).

**ADDITION TO AGENDA – APPROVE DECLARATION OF EMERGENCY**

Upon Motion by Council Member Smith and second by Council Member Daniels, a Resolution approving a declaration of a local emergency within the City of Danville, Virginia as a result of a tornado was added to the Agenda under New Business as Item E.1. The Motion carried unanimously.

**BUDGET AMENDMENT-FY 2004-2005-UDAG -COMMUNITY DEVELOPMENT**

Upon Motion by Council Member Smith and second by Council Member Luther, an Ordinance entitled:

ORDINANCE NO. 2004-08.08

AN ORDINANCE AMENDING THE FISCAL YEAR 2004-2005 BUDGET APPROPRIATION ORDINANCE FOR PROJECTS TO BE UNDERTAKEN WITHIN THE CITY TO BE FINANCED THROUGH THE COMMUNITY DEVELOPMENT FUND BALANCE OF UDAG FUNDS

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

**COMMUNITY DEVELOPMENT REHABILITATION PROGRAM GUIDELINES**

Council Member Castiglione moved the adoption of a Resolution entitled:

RESOLUTION NO. 2004-08.06

A RESOLUTION AMENDING THE COMMUNITY DEVELOPMENT REHABILITATION AND ACQUISITION PROGRAM GUIDELINES TO ADD THE STARTER LOAN PROGRAM AND MODIFY THE HISTORIC BUILDING LOAN PROGRAM.

The Motion was seconded by Vice-Mayor Williams and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders,  
Smith, and Williams (9).  
NAY: None (0).

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Council Member Smith said the Downtown Danville team, which includes Deputy City Manager Lyle Lacy, Downtown Executive Director Liz Sater and Community Development Coordinator Anne Moore, has come up with a common-sense approach to revitalizing the downtown areas and he wholeheartedly agreed with that approach. Mr. Smith asked Ms. Sater and Ms. Moore to stand and be recognized.

Vice-Mayor Williams said the loan program is designed to get businesses over the first hurdle in order to start changes that will cause a turnaround in the Downtown area of the City. He said the changes are a very important part of the City's revitalization and economic development efforts.

### **AMEND CITY CODE-CHAPTER 21-IMMOBILE/UNATTENDED VEHICLES**

Council Member Luther moved the adoption of an Ordinance entitled:

AN ORDINANCE AMENDING CHAPTER 21 OF THE DANVILLE CITY CODE TO INCLUDE UNATTENDED AND IMMOBILE VEHICLES TO THIS CODE SECTION.

Council Member Rawley seconded the Motion.

Council Member Daniels referred to Section 21-136 (a) (4) that reads: "if it is immobilized on a public street by weather conditions or other emergency situation." Mr. Daniels inquired if this referred to a vehicle parked on the street and is immobilized by weather conditions, such as snow.

City Attorney Clarke Whitfield responded that this would apply if there were a potential safety hazard to either the Public Works Crew or to other vehicles traveling.

City Manager Gwaltney responded that if a vehicle was parked on the street and is immobilized by snow, the vehicle would not be moved to remove the snow, unless it was in the middle of the road.

Council Member Castiglione said that part of the Code bothered him, also. He moved to amend item (a) (4) to add language "and creates a safety hazard to the public," as recommended by City Attorney Whitfield.

Council Member Smith inquired as to who would decide if an immobile vehicle was indeed a safety hazard.

City Manager Gwaltney said the Police Department would make that decision.

Council Member Saunders said he really did not see any difference between items (a) (1) and (4) apart from the words "weather conditions," as cited in (4).

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City Manager Gwaltney recommended that the Ordinance go back to the Police Department for further review before Council takes action on the matter.

Upon Motion by Council Member Luther and second by Council Member Saunders, the Ordinance amending Chapter 21 was **TABLED**. The Motion carried unanimously.

**BUDGET AMENDMENT-FY 2004-2005-COMMISSION OF ARTS GRANT**

Upon Motion by Council Member Archie and second by Council Member Castiglione, an Ordinance entitled:

ORDINANCE NO. 2004-08.10

AN ORDINANCE AMENDING THE FISCAL YEAR 2004-2005 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A VIRGINIA COMMISSION FOR THE ARTS GRANT IN THE AMOUNT OF \$5,000 AND TO PROVIDE FOR A LOCAL SHARE IN THE AMOUNT OF \$5,000 FOR A TOTAL GRANT OF \$10,000

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

**BUDGET AMENDMENT-FY 2004-2005-COLUMBIA FLOORING INCENTIVE**

Upon Motion by Council Member Daniels and second by Council Member Saunders, an Ordinance entitled:

ORDINANCE NO. 2004-08.11

AN ORDINANCE AMENDING THE FISCAL YEAR 2004-2005 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUES FROM THE GENERAL FUND FOR A CITY TECHNOLOGY ENHANCEMENT GRANT FOR THE COLUMBIA FLOORING EXPANSION INCENTIVE PACKAGE FOR A TOTAL APPROPRIATION IN THE AMOUNT OF \$300,000 AND APPROPRIATING THE SAME

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

In response to Vice-Mayor Williams, City Manager Gwaltney said the Performance Agreement with Columbia Flooring does indicate that a certain number of jobs must be delivered and a certain amount of money must be invested in the community in order to receive the incentive package. Mr. Gwaltney said he had received that commitment today.

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### **APPROVE DECLARATION OF EMERGENCY DUE TO TORNADO**

Mayor Hamlin called on City Manager Gwaltney for an update on damages from the tornado that struck Danville on Thursday, August 12.

City Manager Gwaltney advised he did declare an emergency following the tornado, not because of any danger to citizens' lives, but in order to seek funds from the State. Governor Warner has declared a State of Emergency in Danville, thereby making the City eligible for relief funds. The City Manager is empowered to declare a State of Emergency, but City Council has to ratify that declaration at the next regular meeting of City Council.

Mr. Gwaltney asked Emergency Services Director Doug Young for an update. Mr. Young advised that an estimate of around \$776,000 to date. He said that information has been sent to the State, but assessments continue to take place.

Following the tornado, it was discovered that 29 homes had major damage, and 32 received minor damage; 2 businesses were destroyed, 6 had major damage, and 7 had minor damage. He said George Washington High School received extensive roof damage and considerable damage from flying debris. City Manager Gwaltney advised the damage had been estimated at \$1 million; however, insurance coverage should pay for repairs.

Mr. Gwaltney called on Assistant City Manager for Utilities Joe King for an update on power outages and restoration. Mr. King advised that approximately 9,500 customers along West Main Street, the Forest Hills area, Trade Street, and Old Richmond Road lost power during the storm. He said the course of the storm was intermittent and that two substations were temporarily knocked out. Mr. King further advised that the cost for the utility repairs is expected to be around \$400,000.

Emergency Services Director Doug Young said that outside assistance is available only to those residents who are uninsured.

Mayor Hamlin thanked Mr. Young and Mr. King for the updates and commended them and their employees for the quick response in cleaning up the storm's aftermath.

Council Member Luther moved the adoption of a Resolution entitled:

#### **RESOLUTION NO. 2004-08.07**

**A RESOLUTION APPROVING A DECLARATION OF A LOCAL EMERGENCY WITHIN THE CITY OF DANVILLE, VIRGINIA AS A RESULT OF A TORNADO.**

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The Motion was seconded by Council Member Castiglione and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders,  
Smith, and Williams (9).  
NAY: None (0).

### **COMMUNICATIONS**

There were no communications from the City Manager, Deputy City Manager, City Attorney, and City Clerk.

### **ROLL CALL**

Mayor Hamlin, Vice-Mayor Williams, and Council Members each commended all City employees for their diligence in getting the City back in working order following the tornado. Mrs. Archie said Danville has the best employees in the State and she was extremely proud of them.

Council Member Archie thanked everyone for their telephone calls, cards, and prayers during the critical illness of both her daughter and grandson. She reported they both were well on the road to recovery.

Council Member Castiglione advised that Danville Community College's Fall Session begins on Monday, August 23. Mr. Castiglione said there is another record enrollment for the college.

Council Member Luther thanked Ms. Marcella Thompson for appearing before City Council this evening. He also thanked Radio Stations WBTM and WAKG for providing each of the city schools with a storm warning radio system. He said he had received reports that they were very successful during the tornado warning in assisting to get students and faculty to shelter before the storm actually hit.

Council Member Rawley offered congratulations to Police Chief Philip Broadfoot, who was recently elected as President of the Virginia Association of Police Chiefs. Mr. Rawley also expressed appreciation to Deputy City Manager Lyle Lacy for his updates following the storm.

Vice-Mayor Williams said there was great media response to the tornado, noting there were many heroes in the City of Danville. He specifically mentioned Public Works personnel, Utility personnel, and Public Safety employees.

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The Meeting adjourned at 7:45 P.M.

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MAYOR

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CLERK